



Alan C. Lloyd, Ph.D.  
Secretary for  
Environmental  
Protection

# California Integrated Waste Management Board

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Arnold Schwarzenegger  
Governor

TO: Interested Parties

FROM: California Integrated Waste Management Board (CIWMB) and Department of General Services (DGS)

DATE: September 19, 2005

Thank you for your response to our letter dated August 8, 2005 regarding our effort to establish an environmentally preferable product (EPP) standard for printer and duplication cartridges. Your comments and suggestions were very informative and helpful. In an effort to continue our dialogue and progress towards preparing a draft of the standard, we would like to propose the following for your comments and suggestions<sup>1</sup>:

## The Scope of the Standard:

The scope of the standard should include those products that California state or local agencies purchase on contract. Currently, these products include printer, *multifunctional device (MFD)*, and duplication cartridges, such as toner and inkjet cartridges. These cartridges consist of both black and colored cartridges. *However, since the functional components of inkjet cartridges are technologically very different from toner cartridges, and toner cartridges constitute a considerably greater proportion of cartridges that the state purchases on contract, it is prudent to develop this EPP standard specifically for black and colored toner cartridges only. While we acknowledge that there are differences in design and specification between black and colored toner cartridges, we feel that there are sufficient similarities between the containers of black and colored cartridges to warrant the inclusion of both in this EPP standard.*

## Benchmarks:

For a printer and duplication model cartridge to be designated as an EPP cartridge, it must comply with benchmark 1 (tier 1) and one of the other three benchmarks 2, 3 and 4 (tier 2), or a combination thereof, i.e., the tier 2 requirement can be attained by satisfying a combination of benchmarks 2, 3, and / or 4.

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<sup>1</sup> Note "new" italicized language for the benchmarks compared to the language in our letter dated August 8, 2005.  
California Environmental Protection Agency

Tier 1

Benchmark 1: A cartridge *model* for which the manufacturer, wholesaler, distributor, retailer, or remanufacturer places no restriction on the recycling or remanufacturing of that cartridge *model* by any other person *except to enter into signed agreements with customers that consent to the return of the used cartridges to the manufacturer, wholesaler, distributor, retailer, or remanufacturer, only for either of the following purposes:*

- (a) Recycling and remanufacturing, for purposes of making the remanufactured cartridge available for purchase.*
- (b) Recycling. (Public Contract Code section 12156).*

Tier 2

Benchmark 2: A cartridge *model* containing a minimum of 50 percent recycled-content material by weight which consists of secondary and postconsumer material with at least 10 percent by weight of postconsumer material (Public Contract Code section 12200). *PCC Section 12200 defines "Postconsumer material", and "Secondary material" in the following manner:*

*"Postconsumer material" means a finished material that would have been disposed of as a solid waste, having completed its life cycle as a consumer item, and does not include manufacturing wastes.*

*"Secondary material" means fragments of finished products or finished products of a manufacturing process that has converted a resource into a commodity of real economic value, and includes postconsumer material, but does not include excess virgin resources of the manufacturing process.*

*It is envisioned that a point system will reflect full or partial attainment of benchmark 2, with 100 points conveying full attainment, which is summarized in the following table:*

<i>Percent Recycled-content Material (Total)</i>	<i>Percent Postconsumer Material</i>	<i>Points</i>
<i>50</i>	<i>10</i>	<i>100</i>
<i>40</i>	<i>20</i>	<i>100</i>
<i>30</i>	<i>30</i>	<i>100</i>
<i>30</i>	<i>20</i>	<i>75</i>
<i>30</i>	<i>10</i>	<i>50</i>
<i>20</i>	<i>20</i>	<i>50</i>
<i>20</i>	<i>10</i>	<i>25</i>

Benchmark 3: A cartridge *model*, that could have been disposed of as solid waste having completed its life cycle as a consumer item, but otherwise is refurbished for reuse (remanufactured, restored, renovated, repaired, or recharged) without substantial alteration of its form (Public Contract Code section 12156). Refurbishing a cartridge is defined as disassembling the cartridge, cleaning it, changing parts if needed and refilling it with toner.

*A cartridge is considered remanufactured if its primary components come from a used cartridge. The used cartridge is subjected to a formal process, preferably using ISO 9000 (International Organization for Standardization) standards or other documented standard operating procedures, of disassembly during which time its components are cleaned and to the maximum extent necessary replaced with new or used parts. The cartridge is reassembled and a determination is made that it will operate comparably to a new cartridge.*

*A cartridge is considered restored, renovated, or repaired if it is cleaned and its worn parts are replaced without being subjected to a formal process of disassembly and reassembly.*

*Similar to benchmark 2, it is proposed that a point system will reflect full or partial attainment of benchmark 3 which is summarized in the following table:*

<i>Method</i>	<i>Points</i>
<i>Remanufactured</i>	<i>100</i>
<i>Restored</i>	<i>50</i>
<i>Renovated</i>	<i>50</i>
<i>Repaired</i>	<i>50</i>

Benchmark 4: A cartridge *model* that would otherwise become solid waste, but which has undergone a process of collecting, sorting, cleansing, treating, or reconstituting, and which has been returned for the manufacture of new products or the remanufacture of used cartridges (Public Contract Code section 12156). Furthermore, for those *vendors* that have a “take back and recycling” program, an EPP *consideration* will be *given* to the actual printer cartridge model collected *at sufficient rates* and not to all the cartridges collected in the program.

*In keeping with the point system similar to benchmarks 2 and 3, points will be assigned to reflect full or partial attainment of benchmark 4, with 100 points conveying full attainment, which is summarized in the following table:*

<i>Percent Collection</i>	<i>Points</i>
<i>40</i>	<i>100</i>
<i>30</i>	<i>50</i>
<i>20</i>	<i>25</i>

***Certification:***

*It is envisioned that an efficient and enforceable self-certification system by vendors will identify those cartridge models that are designated as EPP printer and duplication cartridges. It is the intent of this standard to make it as easy as possible to discern an EPP cartridge from a non EPP cartridge. Self-certification must be made in writing under penalty of perjury and be auditable and verifiable.*

I would like to thank you again for responding to our letter with helpful comments and suggestions and encourage you to continue your valued participation in this effort. I look forward to continuing our dialogue and working together towards establishing an environmentally preferable standard for printer and duplication cartridges. We hope that the standard will distinguish and benefit those vendors that have EPP cartridges without harming vendors that do not have EPP cartridges. Please feel free to distribute this letter to parties that you consider interested in this effort. For public access, this letter as well as your responses will be posted on our Web site at: [www.ciwmb.ca.gov/EPP/Cartridges](http://www.ciwmb.ca.gov/EPP/Cartridges).

Comments and suggestions should be directed to:

Mr. Fareed Ferhut,  
Integrated Waste Management Specialist  
Buy Recycled Section  
CIWMB  
P.O. Box 4025, MS-12  
Sacramento, CA 95812

Please try to have your comments and suggestion to us by October 10, 2005.

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If you have any questions or would like to discuss this effort, please contact Mr. Ferhut at [fferhut@ciwmb.ca.gov](mailto:fferhut@ciwmb.ca.gov) or (916) 341-6482. Thank you for your support of this effort to protect the health and improve the environmental quality of our lives by creating a standard for an EPP cartridge.

Sincerely,

*Original signed by:*

Jerry Hart, Supervisor  
Buy Recycled Section

Attachment

cc: Patty Wohl, CIWMB  
Bill Orr, CIWMB  
Fareed Ferhut, CIWMB